IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

WEDNESDAY, THE 20TH DECEMBER 2006 / 29TH AGRAHAYANA 1928

Bail Appl..No. 7539 of 2006()

Crime No.191/06 of Piravom Police Station

: PETITIONER/ACCUSED:

SAJU JOHN, S/O. JOHN,
AGED 40 YEARS, PARAKKOTTIL HOUSE, ONAKKOOR KARA,
ONAKKOOR VILLAGE, MUVATTUPUZHA TALUK.

BY ADV. SRI.M.S.MANIKANDAN

RESPONDENT: COMPLAINANT:

STATE REPRESENTED BY THE
SUB INSPECTOR OF POLICE, PIRAVOM POLICE STATION BY
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,ERNAKULAM.

BY PUBLIC PROSECUTOR SHRI. JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 20/12/2006, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V.Ramkumar, J.

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B.A.No.7539 of 2006

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Dated this the 20th day of December, 2006.

ORDER

Petitioner, who is accused in Crime No.191 of 2006 of Piravom Police Station for offences punishable under Sections 324, 326 and 308 I.P.C., seeks anticipatory bail.

2. The learned Public Prosecutor opposed the application.

3. The occurrence took place on 21.11.2006 in which the defacto complainant and another person were attacked by the petitioner using a chopper. The defacto complainant has sustained a fracture on the left elbow. His friend has sustained an injury on his right ear the pinna of which was severed and subsequently sutured and grafted in place through surgery.

4. Anticipatory bail cannot be granted in a case of this nature. However, I am inclined to give a direction to the petitioner to surrender before the Investigating Officer, so that his application for

regular bail can eventually be considered by the Magistrate having jurisdiction. Accordingly, the petitioner shall surrender before the Investigating Officer any day between 21.12.2006 and 23.12.2006 for the purpose of custodial interrogation and recovery of weapon, if any. He shall thereafter be produced before the Magistrate concerned, who shall dispose of the application for regular bail (to be filed by the petitioner), preferably on the same day on which it is filed.

With this direction, this petition is disposed of.

V.Ramkumar,
Judge.

ess 20/12